

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Art Unit: 1633
	)	
BRO, et al.	)	Examiner: LEAVITT, M.
	)	
Serial No.: 10/536,495	)	Washington, D.C.
	)	
Filed: May 10, 2006	)	February 12, 2009
	)	
For: METABOLICALLY ENGINEERED	)	Docket No.: BRO=2
MICRO-ORGANISMS HAVING	)	
REDUCED PRODUCTION OF...	)	Confirmation No.: 6559

REQUEST FOR CONTINUED EXAMINATION (RCE)

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building, Mail Stop RCE  
401 Dulany Street  
Alexandria, VA 22314

S i r :

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**1. Submission required under 37 C.F.R. § 1.114 (must check "a" or "b")**

- a. ☒ Previously submitted
  - i. ☒ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on January 12, 2009  
(Any unentered amendment(s) referred to above will be entered)
  - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii. ☐ DO NOT consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_.
- b. ☐ Enclosed
  - i. ☐ Amendment/Reply
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iii. ☐ Information Disclosure Statement (IDS)
  - iv. ☐ Other

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified

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application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required). If this box is checked, the PTO is specifically authorized, if the suspension fee is not otherwise paid, to charge the suspension fee to Deposit Account 02-4035.

b. ☐ Other

### 3. Fees

a. small entity status

☐ small entity status was previously asserted on \_\_\_\_\_.

☐ small entity status is now asserted.

b. Fee Calculation

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e): \$

☐ 405.00 (small entity)      ☒ 810.00 (large entity)

(The RCE fee is set at an amount equal to the basic filing fee of a utility application; small entity reduction is available.)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

Small Entity

Non-Small Entity

Response filed within:

Response filed within:

\_\_\_ first      -\$    65.00

\_\_\_ first      - \$   130.00

\_\_\_ second    -\$   245.00

\_\_\_ second    - \$   490.00

\_\_\_ third     -\$   555.00

\_\_\_ third     - \$1,110.00

\_\_\_ fourth    -\$ 865.00

\_\_\_ fourth    - \$1,730.00

\_\_\_ fifth     -\$1,175.00

\_\_\_ fifth     - \$2,350.00

month after time period set.      month after time period set.

(less \$      already paid for      month(s) extension of time on      ).

iii. ☐ Fee of \$130 under 1.117(i) for requesting limited suspension.

iv. Additional claims

(RCE fee need not include excess claims fee for claims previously paid for)

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(Col. 1)		(Col. 2)		(Col. 3)		Small Entity		Other Than a Small Entity		
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra		Rate	Additional Fee		Rate	Additional Fee
Total		Minus		=		x 26	\$		x 52	\$
Indep.		Minus		=		x110	\$		x220	\$
First Presentation of Multiple Dependent Claim							195	\$	+390	\$
TOTAL ADDITIONAL CLAIMS FEE							\$		Total	\$

v. Other:\_\_\_\_\_.

c. The total fee due is therefore \$810.00.

d. PAYMENT BY

i. ☐ Check (# ) in the amount of :

ii. ☒ Attached is Credit Card Authorization authorizing payment in the amount of \$810.00.

iii. ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4035

e. ☒ Provisional extension of time if needed. Applicants authorize any charge of additional fees (**except issue and publication fee**) which may be required in connection with this application, for this paper or any later filed paper, to Deposit Account No. 02-4035.

f. ☒ The director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No. 02-4035.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:\_\_\_\_\_

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